

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

HECTOR H PEÑA OTERO

Debtor(s)

Case No: 10-06964 SEK

Chapter 13

MOTION TO INFORM AMENDED PLAN

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. That the reason for amendment is to adjust debtors payment schedule and provide lift of stay in favor of BPPR, ASOCIACION DE CHALETS DE LA PLAYA, DORAL MORTGAGE AND ASOCIACION RIVER GARDENS STATES

WHEREFORE, it is respectfully requested to this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mail to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 7th day of January of 2011.

JPC LAW OFFICE

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By: /s/ Jose M Prieto Carballo, Esq.

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 10-06964-13

PENA OTERO, HECTOR H

Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____

☒ AMENDED PLAN DATED: Nov 7, 2011

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 725.00 x 5 = \$ 3,625.00
\$ 500.00 x 55 = \$ 27,500.00
\$ x = \$
\$ x = \$
\$ x = \$

TOTAL: \$ 31,125.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 31,125.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 2,324.00

Signed: /s/ HECTOR H PENA OTERO
Debtor


Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☐ Trustee pays secured ARREARS:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. PFCU Cr. _____ Cr. _____
3068780018 # _____ # _____
\$ 23,000.00 \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

BPPR

5. ☐ Other:

6. ☐ Debtor otherwise maintains regular payments directly to:

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____
☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
See Continuation Sheet

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

Debtor(s)

CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 1

FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

ADEQUATE PROTECTION OF \$150 TO PENTAGON CREDIT UNION (PCU)

DEBTOR WILL PROVIDE INSURANCE TO PCU THROUGH EASTERN AMERICAN INS

DEBTOR LIFTS THE AUTOMATIC STAY IN FAVOR OF BPPR MORTGAGE (PROPERTY LOCATED AT RIVER GARDEN STATES IN CANOVANAS PR.

DEBTOR CONSENTS TO THE LIFT OF STAY IN FAVOR OF ASOCIACION DE RESIDENTES DE RIVER GARDEN STATES IN CANOVANAS PR

DEBTOR LIFTS THE AUTOMATIC STAY IN FAVOR OF DORAL MORTGAGE (PROPERTY LOCATED AT CHALETS DE LA PLAYA IN VEGA BAJA.PR

DEBTOR CONSENTS TO THE LIFT OF STAY IN FAVOR OF ASOCIACION DE CHALETS DE LA PLAYA IN VEGA BAJA PR

Label Matrix for local noticing
0104-3
Case 10-09054-SEK13
District of Puerto Rico
Old San Juan
Fri Nov 19 12:37:12 AST 2010

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

CITI BANK
P O BOX 364106
SAN JUAN, PR 00936-4106

DEPT HACIENDA DE PR
P O BOX 9024140
SAN JUAN, PR 00902-4140

IRS
P O BOX 21125
PHILADELPHIA, PA 19114-0325

SEARS
P O BOX 6241
SIOUX FALLS, SD 57117-6241

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

End of Label Matrix
Mailable recipients 20
Bypassed recipients 0
Total 20

GE MONEY BANK (JCPENNEY CREDIT SERVICES)
C/O RECOVERY MANAGEMENT SYSTEMS CORP
25 SE 2ND AVE, SUITE 1120
MIAMI, FL 33131-1605

BANCO SANTANDER
P O BOX 362589
SAN JUAN, PR 00936-2589

CitiFinancial, Inc
P.O. Box 70919
Charlotte NC 28272-0919

Department Stores National Bank/Visa
Bankruptcy Processing
PO Box 8053
Mason, OH 45040-8053

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Hanover, MD 21076-0499

Gemb/jc Penney Pr
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